

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
ROCHESTER DIVISION**

*AMY COMFORT, on behalf of herself and
others similarly situated,*

Plaintiff,

v.

RICOLA USA, INC.,

Defendant.

No. 6:19-cv-06089-CJS

**STIPULATION AND [PROPOSED]
ORDER EXTENDING BRIEFING
SCHEDULE ON DEFENDANT RICOLA
USA, INC.'S MOTION TO DISMISS
PLAINTIFF AMY COMFORT'S CLASS
ACTION COMPLAINT**

Plaintiff Amy Comfort ("Plaintiff") and Defendant Ricola USA, Inc. ("Defendant"), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on February 1, 2019, Plaintiff filed the Complaint in the above-captioned action, Compl., ECF No. 1;

WHEREAS, on April 29, 2019, Defendant filed a motion to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (the "Motion to Dismiss") and stated an intent to file reply papers, Notice Mot., ECF No. 5;

WHEREAS, pursuant to Rule 7(b)(2)(B) of the Local Rules of Civil Procedure, the briefing schedule on the Motion to Dismiss is currently as follows:

Opposition papers are due	May 13, 2019
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Reply papers are due	May 20, 2019
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WHEREAS, the parties have met and conferred and have agreed to the following briefing schedule for the Motion to Dismiss:

Opposition papers are due	May 30, 2019
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Reply papers are due	June 13, 2019
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NOW, THEREFORE, the parties hereby stipulate and agree, subject to the Court's approval, that the briefing schedule for Defendant's Motion to Dismiss will be the following:

Opposition papers are due

May 30, 2019

Reply papers are due

June 13, 2019

Date: May 9, 2019

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Date: May 9, 2019

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Counsel for Defendant

[PROPOSED] ORDER

Pursuant to the foregoing stipulation, **IT IS SO ORDERED.**

Date: _____

Honorable Charles J. Siragusa
United States District Judge